

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

IN RE: NATIONAL PRESCRIPTION  
OPIATE LITIGATION

*This document relates to:*

*All Cases Noted on Attached Appendix*

MDL No. 2804

Case No. 1:17-md-2804

JUDGE DAN AARON POLSTER

**STIPULATION OF DISMISSAL WITH PREJUDICE  
PURSUANT TO NEW MEXICO SETTLEMENT AGREEMENT**

The undersigned Parties (the “Parties”) have settled the above-referenced litigation against Albertsons LLC (“Albertsons”) pursuant to the Albertsons New Mexico Settlement Agreement, executed on December 7, 2022, in which Plaintiffs – the New Mexico subdivisions listed in Appendix A – have elected to participate. Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Plaintiffs and Defendants Albertsons agree that all claims of Plaintiffs in the actions identified in Appendix A against Albertsons are dismissed with prejudice, with each party to bear its own costs.

Dated April 19, 2023

Respectfully submitted,

**ATTORNEYS FOR PLAINTIFFS**

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*Counsel for Defendant Albertsons LLC*

SO ORDERED this \_\_\_ day of April, 2023.

\_\_\_\_\_  
Hon. Dan Aaron Polster  
United States District Judge

**CERTIFICATE OF SERVICE**

I hereby certify that on April 19, 2023, I electronically filed the foregoing with the Clerk of Court by using the CM/ECF system. Copies will be served upon counsel of record by, and may be obtained through, the Court CM/ECF system.

/s/Peter J. Mougey

Peter J. Mougey

# **APPENDIX A**

<u>Subdivision</u>	<u>State</u>	<u>Signed With Permission</u>	<u>Jurisdiction</u>	<u>Docket Number</u>
San Juan County	NM	Simmons Hanly Conroy/Crueger Dickinson	NDOH	1:18-op-45829
Dona Ana County	NM	Levin, Papantonio, Rafferty, Proctor, Buchanan, O'Brien, Barr and Mougey, P.A.	NDOH	1:18-op-46206
Taos County	NM	Levin, Papantonio, Rafferty, Proctor, Buchanan, O'Brien, Barr and Mougey, P.A.	NDOH	1:19-op-45051
Grant County	NM	Napoli Shkolnik	NDOH	1:19-op-45108
Lea County	NM	Levin, Papantonio, Rafferty, Proctor, Buchanan, O'Brien, Barr and Mougey, P.A.	NDOH	1:19-op-45266
Hobbs City	NM	Levin, Papantonio, Rafferty, Proctor, Buchanan, O'Brien, Barr and Mougey, P.A.	NDOH	1:19-op-46068
Española City	NM	Levin, Papantonio, Rafferty, Proctor, Buchanan, O'Brien, Barr and Mougey, P.A.	NDOH	1:19-op-46142
Colfax County	NM	Simmons Hanly Conroy/Crueger Dickinson	NDOH	1:21-op-45055
Luna County	NM	Simmons Hanly Conroy/Crueger Dickinson	NDOH	1:21-op-45056
Union County	NM	Simmons Hanly Conroy/Crueger Dickinson	NDOH	1:21-op-45057
Las Cruces County	NM	Levin, Papantonio, Rafferty, Proctor, Buchanan, O'Brien, Barr and Mougey, P.A.	NDOH	1:21-op-45059
Torrance County	NM	Simmons Hanly Conroy/Crueger Dickinson	NDOH	1:22-op-45004
Eddy County	NM	Simmons Hanly Conroy/Crueger Dickinson	NDOH	1:22-op-45015